

REMARKS

In response to the restriction requirements set forth in the outstanding Official Action, applicant's hereby provisionally elect Group 1, claims 2-4, with traverse. As to the election of species, applicants elect the sequence encoding for the TorA protein of *Shewanella Massilia* corresponding to SEQ. ID NO: 1.

The specific pairs of primers to be elected are those of the "BN" group mentioned in the claim 4 of the corresponding PCT application, wherein BN+ primers are BN1+ (SEQ ID NO: 18), BN3+ (SEQ ID NO: 19), and BN6+ (SEQ ID NO: 20), AND BN- primers are BN2- (SEQ ID NO: 21), BN4- (SEQ ID NO: 22), and BN5- (SEQ ID NO: 23). The two preferred primers pairs which are BN6+ / BN2- and BN6+ / BN4-, as mentioned in claim 4. At this time, applicants note that new claims 16-18 are directed to these preferred embodiments and believe that they should be examined with the claims of Group 1.

The grounds for traverse are that the Official Action does not comply with the requirements of PCT rules 13.1 and 13.2, seeking to justify the lack of unity and determination. Specifically, the definition of "special technical feature" in PCT Rule 13.2 is art-base. Therefore, proper lack in unity determination requires citation of reference showing the "special technical feature" exhibited by the present invention. No such

citation having been made, the lack of unity determination is improper as a matter of law.

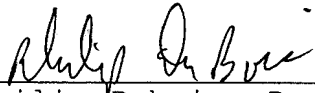
In view of the above discussion, therefore, it is believed that applicants are entitled to a action on the merits of all the claims, in their full scope, in the present application. Such action is accordingly respectfully requested.

Should there be any matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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